

REMARKS

Claims 1-11 are now pending, with claim 1 being the sole independent claim. Claims 1 and 8 have been amended. Claim 11 is added. Support for the amendment to independent claim 1 may be found, for example, in Fig. 2 and at pg. 4, 1st paragraph of the specification as originally filed. Support for new claim 11 is found in the first paragraph of the detailed description, lines 6-7, of the specification as originally filed. No new matter has been added. Reconsideration of the above-identified application, in view of the following amendment and remarks, is respectfully requested.

Claims 1-10 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,106,277 (“*Tuckey*”) in view of U.S. Patent No. 5,121,021 (“*Ward*”). Reconsideration and withdrawal of this rejection are respectfully requested.

Independent claim 1 has been amended to recite “wherein the electric motor stator ring and the magnet shells comprise a single-piece body formed entirely from a same material”. The combination of *Tuckey* and *Ward* fails to achieve this expressly recited limitation.

The Examiner (at pg. 4 of the Final Office Action) acknowledges that *Tuckey* fails to teach or suggest the specific detail of a one-piece body comprising the stator ring (30) and an adjoining at least one of the motor casing or magnet shells, and cites *Ward* to cure this deficiency of *Tuckey*. According to the Examiner, *Ward* discloses the “final remaining element missing from that of the primary *Tuckey* reference”. Applicants disagree.

According to the Examiner (at pg. 8 of the Final Office Action; *Response to Arguments*), “the frame 12 (i.e., pump housing) and the stator ring are formed as a single piece of a single material”. According to the Examiner, moreover, col. 5, lines 37-39 of *Ward* teaches that “the composite frame material is a magnetic material and, accordingly, forms a flux path for flux

developed by the permanent magnets". Based on this teaching, the Examiner posits that *Ward* discloses a composite pump that doubles as a stator ring, such that both the stator ring 12 and the pump casing are formed as a single piece of a single material.

Even assuming, *arguendo*, that the teachings of *Ward* at col. 5, lines 37-39 may indeed be true, *Ward* nevertheless fails to teach or suggest applicants' claimed feature, i.e., "wherein the electric motor stator ring and the magnet shells comprise a single-piece body formed as a single piece of a single material", as recited in now-amended independent claim 1. Fig. 1 of *Ward* clearly shows that the permanent magnets are separate and distinct from the composite material for the frame 12. Moreover, the skilled person has no reason to modify the *Ward* structure to include the recited limitation of now-amended independent claim 1 such that the frame 12 and the permanent magnets 14 would be included in a single piece of a single material, absent an impermissible hindsight construction based on applicants' instant disclosure. Therefore, even though *Ward* describes multiple components made of the same material, *Ward* fails to teach or suggest that the "electric motor stator ring and the magnet shells comprise a single-piece body formed as a single piece of a single material", as recited in independent claim 1. *Ward* simply fails to disclose this limitation. *Tuckey* and *Ward*, individually or in combination, therefore fail to teach or suggest the above-recited limitation of independent claim 1.

In view of the foregoing, independent claim 1 is patentable over the combination of *Tuckey* and *Ward*. Reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) are therefore in order, and a notice to that effect is respectfully requested.

In view of the patentability of independent claim 1, dependent claims 2-11 are also patentable over the prior art for the reasons set forth above, as well as for the additional recitations contained therein.

Based on the foregoing remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to resolve any outstanding issues.

Respectfully submitted,
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